



# IDAHO WATER RESOURCE BOARD

## **MINUTES OF TELEPHONIC MEETING NO 03-07**

**C.L. "Butch" Otter**  
Governor

**Idaho Department of Water Resources**  
Idaho Water Center, Boise Idaho  
March 16, 2007

**Jerry R. Rigby**  
Chairman  
Rexburg  
At Large

Chairman Rigby called meeting 03-07 to order at 8:30 a.m. and requested roll call.

**Terry T. Uhling**  
Vice Chairman  
Boise  
District 2

### **Agenda Item No. 1, Roll Call**

#### *Board Members Attending*

**Bob Graham**  
Secretary  
Bonners Ferry  
At Large

Jerry Rigby, Chairman  
Vic Armacost  
Claude Storer  
Bob Graham

Leonard Beck  
Gary Chamberlain  
Chuck Cuddy  
Terry Uhling, absent

**Charles "Chuck" Cuddy**  
Orofino  
District 1

#### *Staff Members Attending*

**Leonard Beck**  
Burley  
District 3

Hal Anderson, Administrator  
Patsy McGourty, Admin. Asst. II  
Phil Rassier, Deputy AG  
Dane Watkins, Bonneville-Jefferson GW District

Brian Patton, Engineer  
Neeley Miller, by Telephone  
Lynn Tominaga, IGWA

**L. Claude Storer**  
Idaho Falls  
District 4

#### *Guests by Telephone*

**Gary M. Chamberlain**  
Challis  
At Large

Jonathan Bartsch, CDR Assoc.  
Randy Budge, IGWA  
Tom Arkoosh, SWC  
Bill Block, JUB Engineers  
Travis Thompson, SWC

Harriet Hensley, AG's Office  
John Simpson, SWC  
Linda Lemmon, Thousand Springs  
Craig Evans, IGWA

**Lawrence "Vic" Armacost**  
New Meadows  
At Large

### **Agenda Item No. 2, Public Comment**

There was no public comment.

**Agenda Item No. 3, Selection of the Advisory Committee for the Eastern Snake Plain Aquifer Comprehensive Management Plan – CDR Associates**

Mr. Anderson stated that staff is working in cooperation with the Governor's Office as fast as possible to create the Advisory Committee. Chairman Rigby stated that after the last Board meeting he and the Interim Director met with Governor's staff in regard to the upcoming Water Summit. The Governor is awaiting the Board's Advisory Committee recommendations list that is due by 5:00 p.m. March 16, 2007. The purpose of today's meeting is to create this list of 15 members. Chairman Rigby turned the meeting over to Mr. Bartsch.

Mr. Bartsch from CDR Associates began by noting an additional Environmental and Conservation Interests category had been suggested in response to the first request for nominations.

Chairman Rigby suggested going over the list of suggested nominations so the Board could consider them. There was discussion about recessing. Board members agreed to go ahead with the Advisory Committee selection.

The first list is nominated names and the second list is a list of tasks for the Advisory Committee.

Mr. Bartsch discussed the process of gathering nominations. He read off the names nominated:

**Municipalities** – Mayor Lance Clow and Dave Johnson, Twin Falls; Mayor Roger Chase, Pocatello; Travis Rothweiler, City Administrator Jerome and Water District 130; Mayor Correll, Jerome; Mayor England, Chubbuck; Mayor Wynn, American Falls; Mayor Neiwerth, Rupert; Jack Barraclough, State of Idaho Representative and Certified professional hydrologist.

**Business** – Jeff Forsberg, Idaho Irrigation Equipment.

**Land Developers** – No nominations were received originally. Subsequent suggestions were Alan Ball, Idaho Falls.

**Surface Water Users** – Steve Howser, General Manager, Aberdeen-Springfield Canal Company; Jeff Raybould, Fremont Madison; Lloyd Hicks; Don Hale; F. Dave Rydalch, former Board member; Vince Alberdi, Twin Falls Canal Company; Dan Shewmaker; Randy Bingham, Burley Irrigation District; Albert Lockwood, NSCC; Ed Clark, and Stan Hawkins. These were the originally nominated names.

**Ground Water Users** – Don Parker, Water District 110-100 as primary representative with either Scott Clawson, Lynn Wood or Richard Smith, as alternates; Tim Deeg, water district 120, as primary representative with Craig Evans, Ralph Isom or Robert Murdock as alternates; Dean Stevenson, water district 130-140 for primary representative, with Lynn Carlquist, Grant Wyatt, as alternates; Dan Schaeffer, water user and A & B Board member; and Dan Temple, Manager of A & B Irrigation Company.



**Spring Water Users** – Randy MacMillan, Vice President of Clear Springs Foods, as primary representative with Linda Lemmon, Thousand Springs, as alternate.

**Hydropower** – For primary representative Ron Carlson, Idaho Falls; Will Ricks, RIC Farms; LeRoy Jarolimek, Wind Advantage; Wendy Pabich, Earth Energy; Robin Wells, Snake River Consulting; James Tucker, Idaho Power; and Dee Reynolds from Fall River Electric; with Jon Bowling as alternate.

**Domestic Well Owners** – For primary representative Marla C. Tribble was the only nomination. Comments from her were included in the handout.

**Environmental and Conservation** - (Proposed Additional Interest Category) Kim Goodman, Trout Unlimited and Kevin Lewis, Idaho Rivers United.

**Additional General Stakeholder** - Leland Roy Mink was nominated generally.

Mr. Bartsch noted a late nominee, Rod Robinson, Madison Soil and Water Conservations, a late entry with no specified category.

Mr. Tominaga stated that he had suggested Rex Minchey, Chairman of the 130 water district Advisory Committee, of Jerome Cheese in a late list sent to Mr. Bartsch that also included Dane Watkins, as an alternate for Ground Water Users in the water district 120. In answer to Mr. Beck's question of how Jerome Cheese got nominated, Mr. Tominaga stated it was in response to a general e-mail from him to constituents that he passed on to Mr. Bartsch. Mr. Beck questioned if Jerome Cheese was on Mr. Bartsch's stakeholder list. Mr. Bartsch did not know because he did not have the list with him.

Linda Lemmon stated she had spoken to Cliff Jensen, from the real estate community in Hagerman and he consented to be placed in nomination for the Land Developers category.

Mr. Beck suggested Jerry Walton from the construction business as a nomination for the business or the Land Developer's category.

Chairman Rigby said the Board would also have to suggest some names for open spots. There was discussion about how to proceed. Mr. Bartsch suggested going through the final list of nominees.

Mr. Thompson asked if there would be a chance to nominate for the new environmental category. Chairman Rigby noted that the Board only had until 5:00 p.m. and could not open it up to the public for more nominations, although he stated the Board could turn in an incomplete list for the Governor's Office. The Board can make further nominations right now to complete the list. There was discussion about the list and the process for nominations. The Chairman made it clear that the Board needed to coordinate with the Governor's office today by 5:00 p.m. Some of the nominated people still needed to be contacted to see if they would fulfill the commitment. The Governor will look at the Board's list and prepare his own list for the Water Summit. The two lists are mutually exclusive. Mr. Anderson agreed and he noted that the Governor might have recommendations to the Board's list. The Water Summit will have additional people.

Chairman Rigby stated the list might change after people are contacted. Mr. Cuddy suggested that we go down the list and discuss nominations. Chairman Rigby turned the meeting back to Mr. Bartsch.

Mr. Simpson stated that he thought Will Whelan from the Nature Conservancy should be considered for the environmental category. Mr. Bartsch noted that he had tried to contact Mr. Whelan, a former Deputy Attorney General, but had not reached him.

Mr. Anderson stated that for his summit the Governor does not want to include three L's: Lawyers, Lobbyists and Legislators. Mr. Whelan has been a lobbyist and a lawyer. Mr. Simpson again suggested that his expertise could be valuable at the table. Chairman Rigby noted that someone else could represent the Nature Conservancy. There was further discussion on this category.

Mr. Watkins also noted that Bonneville-Jefferson was not represented on the list and he wanted to see them represented on the Advisory Committee. He had been nominated himself for Tim Deeg's alternate.

Mr. Bartsch suggested jumping into discussion of the nominees looking for equal representation geographically and by category. Mr. Beck stated that the A & B Irrigation District nominee, Dan Schaeffer, represents three kinds of water users (natural flow surface water, surface storage, and ground water) and would be an asset to the Ground Water Users Category.

Mr. Tominaga stated that the reason IGWU chose three representatives with three alternatives for each one is because the farming season would be beginning soon and people will not be available. Chairman Rigby stated that the Board was trying to be consistent and if extra alternates are allowed for one group, they will need to be allowed for all groups. He suggested that the Board might want to be this flexible for the reason Mr. Tominaga stated. Mr. Bartsch noted that the committee needs to be smaller and that the alternates are standbys if the main representative cannot be there. Scheduling Advisory Committee meetings around farm work will be considered. He shared the Chairman's concern that alternates need to be kept low to have consistent attendance.

Mr. Simpson asked who generated the recommendation list and the narrowed final list. Mr. Bartsch answered that through CDR's discussions with Board members, the list was shortened for Board discussion today. Mr. Bartsch asked to move forward with the discussion rather than focus on the process. Mr. Arkoosh stated that the process becomes the substance of what is being done. How the process is carried out is very important and he respectfully disagreed with Mr. Bartsch. Chairman Rigby noted that stakeholders are just as interested in the process and the nominees as well as the Board. Mr. Graham suggested that the list that is sent to the Governor would be a tentative list. Mr. Bartsch apologized if he had minimized the process and stated he was only trying to keep the group on target with the point of today's discussion to get the list finalized for the Governor. Chairman Rigby commented that no one liked the tight schedule.

Mr. Budge stated that the group was getting hung up on the details. He suggested that the meeting move along with the discussion of the nominees.



Mr. Bartsch began the discussion of the shortened list of nominees.

**Chairperson** nominated – Richard Rigby, Bureau of Reclamation with the alternate, Leland Roy Mink.

**Municipalities/Counties**– Mayor Correll, Jerome, as primary representative and Mayor Lance Clow, Twin Falls, as alternate. Mayor Roger Chase, Pocatello, as primary representative and Mayor Fuhrman, Idaho Falls as alternate.

**Business** – The Board needs to decide this category. Two representatives suggested just this morning were John Davis, Jerome Cheese, and Rex Minchey, Water District 130, to be decided by the Board.

**Land Developers** – Alan Ball, Idaho Falls, as primary representative with Jerry Walton, nominated by Mr. Beck or David Price for alternate. Cliff Jensen, real estate developer from Hagerman.

**Surface Water Users** – Jeff Raybould, Fremont-Madison Irrigation District as primary representative with Lloyd Hicks, Rigby, as alternate. Randy Bingham, Burley Irrigation District as primary representative with Steve Howser, Aberdeen-Springfield Canal Company as alternate. Albert Lockwood, North Side Canal Company, as primary representative with Vince Alberdi, Twin Falls Canal Company, as alternate.

**Ground Water Users** – Don Parker, water district 110-100 as primary representative with Scott Clawson, water district 110-100 as alternate. Tim Deeg, water district 120, as primary representative and Craig Evans, water district 120 as alternate. Dean Stevenson, water district 130-140 as primary representative with Lynn Carlquist, water district 130-140 as alternate. Mr. Beck has nominated Dan Schaefer, A and B Irrigation District.

**Spring Water Users** – Randy McMillan, Clear Springs Foods, Inc., as primary representative with Linda Lemmon, Thousand Springs, as alternate.

**Hydropower** – James Tucker, Idaho as primary representative with Dee Reynolds, Fall River Electric as alternate.

**Domestic Well Owners** – One representative and one alternate to be decided.

**Environmental and Conservation Interests** – Kim Goodman, Trout Unlimited as primary representative and an alternate to be decided, perhaps the Nature Conservancy.

This is the proposed short list.

**Chairperson** – Mr. Bartsch stated that Richard Rigby was the nominee for Chairman with Leland Roy Mink as the alternate and asked the Board for discussion.

Chairman Rigby stated he had approached Rich Rigby; however, Mr. Rigby had not responded as to availability. Mr. Beck added that M. Rigby would be excellent in this position. Mr. Graham agreed. He asked if Mr. Mink understood that it is just for the ESPA and not an advisory position to the Board. Mr. Bartsch was not sure since there has been no follow-up. Mr. Graham noted he sounded extremely qualified. Mr. Bartsch said this would be a follow up clarification. Mr. Beck asked if Mr. Mink was nominating himself as Chairman. Mr. Bartsch said he nominated himself generally. Mr. Mink was formerly with IWRRI as a Director and recently had worked in Washington, D.C. with DEQ. Mr. Armacost supported Mr. Mink and felt he would be a great asset.

Mr. Bartsch asked if there were additional comments about the Chairperson. **Mr. Cuddy moved that those two names be accepted for Chairperson.** There was discussion about the voting procedure for this list at this meeting. Chairman Rigby asked for further discussion. There was none. **Mr. Chamberlain seconded Mr. Cuddy's motion. The Chairman called for a voice vote. All were in favor of the nominations for Chairperson of Richard Rigby and alternate Leland Roy Mink.**

**Municipalities/Counties** – Mr. Bartsch listed Mayor Correll, Jerome, as the first representative with Mayor Lance Clow, Twin Falls, as the alternate. Mayor Roger Chase, Pocatello as second representative and Mayor Fuhrman, Idaho Falls as second alternate. He asked for discussion.

Mr. Armacost asked where the county nominees were and should we leave a spot open for a nomination. Mr. Beck replied that he had not seen any county people at the initial meetings. Mr. Bartsch agreed that participation has largely been from the cities. Chairman Rigby noted that county officials had called Board members for information. Mr. Beck suggested they be listed as stakeholders. Chairman Rigby asked Mr. Bartsch if a subcommittee could have county representation. Mr. Bartsch thought that they could be included in other ways.

Chairman Rigby asked for discussion on the mayors. Mr. Beck asked why Jerome was nominated as representative instead of Twin Falls? Mr. Tominaga stated that last year the City of Jerome had a public meeting 150 to 200 people at a CDR meeting that was very vocal. Mr. Anderson noted that Jerome is also in the possible curtailment area. Mr. Beck noted that Twin Falls has much at stake there, too. Mr. Bartsch stated that Mr. Tominaga was correct that the first meeting held in Jerome influenced this choice. Mr. Beck said that his question was answered.

Mr. Block, JUB Engineers, noted that the City of Twin Falls' water availability has been going down about 3% each year. The city is looking at alternatives to their shortages. He thought that it would be best if Twin Falls Mayor Clow was the representative and Mayor Correll, Jerome, was the alternate. Mr. Tominaga disagreed because he thought the cities on the ESPA did not feel that the City of Twin Falls represented their views. Mr. Block noted that the City of Twin Falls is a ground water user with pumps on the ESPA.

Mr. Arkoosh was at the Jerome meeting and remembered it becoming very contentious between the mayors of Wendell, Jerome and Gooding. The Gooding Mayor resigned over the issue. The City of Twin Falls does occupy a unique position and refuses to be identified with any interest group. In terms of balance, he suggested that Twin Falls be the representative and Jerome the



alternate. Mr. Bartsch asked the Board what their preference was. **Mr. Beck moved that Twin Falls Mayor Lance Clow be the representative with Mayor Correll of Jerome as alternate with Mayor Roger Chase, Pocatello and Mayor Fuhrman, Idaho Falls as the alternate. Mr. Armacost seconded.**

Chairman Rigby asked for discussion. Mr. Cuddy asked if Jack Barraclough had been discussed as an alternate. Chairman Rigby stated that the Mayor of Idaho Falls had nominated Mr. Barraclough; however he is a past legislator. Mr. Tominaga stated that Pocatello has only 2 or 3 wells on the ESPA and was it right for them to be the primary representative when Jerome has all their wells on the ESPA. Mr. Bartsch stated the representative and alternate would work hand-in-hand. The important considerations are that the geographic and stakeholder interests be represented.

Mr. Anderson asked if the City of Pocatello had been very active in the CDR meetings. Mr. Bartsch answered yes. **Chairman Rigby called for a voice vote. All were in favor.**

**Business** – Mr. Bartsch mentioned that this morning there was another nomination of Jerome Cheese, John Davis. Chairman Rigby called for discussion.

Mr. Graham asked if the Board needed to decide if they wanted to add the Conservation Category because the State does a lot of business with the Nature Conservancy and they could fit in this category. He thought they needed to be at the table. Mr. Armacost asked that this be delayed until nominees could be talked to.

Mr. Beck asked if Mr. Bartsch was acquainted with John from Christiansen Implement in American Falls. He is Jim Christiansen's son-in-law added Mr. Tominaga. Mr. Bartsch suggested that the Business Category be left as undecided.

Mr. Anderson stated that a dairy representative was suggested for this category. Mr. Bartsch said he would add that to his list. Mr. Beck asked if he would check with the Dairymen to see if they wanted Jerome Cheese or someone else. Mr. Simpson suggested the Idaho Dairymen's Association. Mr. Tominaga suggested Brent Olmstead from the Milk Producers. Mr. Beck noted that the Idaho Dairymen's only represent 50% of the dairymen so there is not just one voice for the group. Mr. Armacost stated that this is the biggest organization. Chairman Rigby said this is very tentative. Mr. Bartsch agreed to follow-up.

**Land Developers** – Mr. Bartsch stated there were no original nominations. Alan Ball, Idaho Falls, as representative nominated by Jerry Rigby with Jerry Walton, nominated by Mr. Beck or David Price for alternate. Linda Lemmon nominated Cliff Jensen. Chairman Rigby asked Mr. Bartsch to make contact and follow-up. Mr. Armacost asked if the Board wanted to keep this category. Chairman Rigby stated this group has big concerns in Eastern Idaho. Mr. Graham agreed that developers are an important part of this. Mrs. Lemmon also wanted the category kept in there because of the real estate activity with agricultural land. Mr. Bartsch agreed that the Upper and Lower Snake River areas would need to be represented. Ms. Lemmon noted the difference between Business and Land Categories and this would be a good place to bring in the counties because of zoning issues. There was general agreement that this would be a good place for a subcommittee.

Mr. Beck was not comfortable with Jerry Walton who may not be up-to-speed with the ESPA. Mr. Bartsch suggested a to-be-decided category. **Mr. Beck made a motion that Mr. Cliff Jensen be the representative and Alan Ball as alternate. Mr. Cuddy seconded.** Chairman Rigby was concerned that these folks have not been contacted and they might decline. There was no further discussion. **Chairman Rigby called for a voice vote. All were in favor.**

**Surface Water Users** – Mr. Bartsch read the names: Jeff Raybould, Fremont-Madison Irrigation District as primary representative with Lloyd Hicks, Rigby as alternate. Randy Bingham, Burley Irrigation District as primary representative with Steve Howser, Aberdeen-Springfield Canal Company as alternate. Albert Lockwood, North Side Canal Company, as primary representative with Vince Alberdi, Twin Falls Canal Company, as alternate.

Mr. Storer suggested Ed Clark or Don Hale as alternates in place of Lloyd Hicks. Mr. Beck asked if the upper end was ground water as well as surface. Mr. Storer said both. Chairman Rigby said that's why Hicks was nominated. Mr. Storer felt the category needed one nominee at the upper end and one at the lower. Mr. Beck felt that ground water and surface should both be represented. There was discussion on this topic. Mr. Bartsch suggested moving through to the other nominees. He asked for discussion about Bingham and Howser and Lockwood and Alberdi.

Mr. Graham asked why Dave Rydalch was not on there. Mr. Bartsch answered that CDR was not familiar with him. Mr. Anderson said that Dave nominated himself and the other names were from the water users.

Mr. Budge asked if there were three surface water positions. Mr. Bartsch said yes. Mr. Budge said that geographical balance was needed and Mr. Howser is the only nominee in the middle. He recommended Mr. Howser as an excellent candidate. Mr. Beck interjected that Mr. Howser is already a nominee as an alternate to Randy Bingham. Mr. Bartsch read the recommendations again for those who did not have paperwork.

Mr. Arkoosh shared information from Surface Water Coalition discussions. For the lower end of the valley they suggested Dan Shewmaker or Vince Alberdi and Randy Bingham. Steve as Randy's alternative would fit there. Bingham and Lockwood instead of Bingham and Shewmaker or Alberdi would include the surface use. He proposed surface storage and surface live (natural flow) water both be represented so that Albert would be alternative to either Shewmaker or Alberdi. In regard to ground water use, he noted no distinction between 110, 120 and 100. 130 has a different interest and A and B also has another different interest. Mr. Arkoosh recommended Albert Lockwood as an alternate for Alberdi or Shewmaker.

Mr. Beck said that Vince Alberdi brings a wealth of knowledge to the table. **Mr. Beck moved that Jeff Raybould be the primary representative with Ed Clark as alternate; Randy Bingham as primary representative with Steve Howser as alternate; Vince Alberdi as primary representative with Albert Lockwood as the alternate. Mr. Storer seconded.** Chairman Rigby stressed that there are some big issues in the Lloyd Hicks area. If these folks are not at the table, there will be serious repercussions. Mr. Beck asked if Stan Clark would serve as well. There was further discussion about nominees with strong views. Mr. Beck stated he could amend his motion. Mr. Storer called for the question. Mr. Cuddy asked for a review of the list and the motion. The



names nominated were Jeff Raybould as representative with Ed Clark or Lloyd Hicks as alternate and switching Vince Alberdi and Albert Lockwood. The motion on the table is for Ed Clark as alternate. **Chairman Rigby asked for a voice vote. There was no response. Motion was denied.**

There was discussion about point of order. Chairman Rigby asked for a voice vote about ceasing the discussion. The majority voted no. Mr. Graham said that the issue now is the alternate for Jeff Raybould, Ed Clark or Stan Clark. **Mr. Beck amended his motion and substituted Lloyd Hicks. Mr. Storer would not second this motion. There was no second.** Discussion followed. Chairman Rigby stated that the original motion stands because there is no second. **Chairman Rigby called for a voice vote on Mr. Beck's motion for Jeff Raybould as primary representative with Ed Clark as alternate and switching Vince Alberdi as primary representative with Albert Lockwood as alternate. The motion did not pass on a voice vote.**

**Mr. Beck then moved that Jeff Raybould serve as primary representative with Lloyd Hicks as alternate, Randy Bingham as primary representative and Steve Houser as alternate, Vince Alberdi primary representative and Albert Lockwood as alternate. Mr. Graham seconded. Chairman Rigby called for a voice vote. All were in favor.**

**Ground Water Users** – Don Parker, water district 110-100 as primary representative with Scott Clawson, water district 110-100 as alternate. Tim Deeg, water district 120, as primary representative and Craig Evans, water district 120 as alternate. Dean Stevenson, water district 130-140 as primary representative with Lynn Carlquist, water district 130-140 as alternate. Mr. Beck has nominated Dan Schaefer, A and B Irrigation District.

Mr. Anderson stated that Dane Watkins had asked to be an alternate for Tim Deeg in water district 120. Chairman Rigby called for a short recess until 11:00 a.m.

The meeting reconvened at 11:00 a.m.

**Ground Water Users** – Don Parker, water district 110-100 as primary representative with Scott Clawson, water district 110-100 as alternate. Tim Deeg, water district 120, as primary representative and Craig Evans, water district 120 as alternate. Dean Stevenson, water district 130-140 as primary representative with Lynn Carlquist, water district 130-140 as alternate. Dan Schaefer and Dane Watkins are two additional nominees.

Mr. Bartsch asked for Board discussion. Mr. Beck offered input that Don Parker, Tim Deeg and Dean Stevenson represent similar interests. He asked if the Board would consider Tim with Don as an alternate and Dean as representative with Lynn Carlquist as alternate and Dan Schaefer as representative because he represents senior ground water users. Mr. Tominaga stated that Don Parker's group has the most senior water rights. The issues in 100 and 110 are a lot different than they are in 120. The issues in 130 and 140 are a lot different. Each nominee represents different interests.

Mr. Beck stated that was a good point and with that much IGWA representation we should bring in Dan Schaefer for balance as a representative. He suggested Don Parker as representative with Tim Deeg alternate or Tim Deeg as primary representative with Don Parker as alternate. Dean

Stevenson with Lynn Carlquist or someone else and then Dan Schaefer with perhaps Dan Temple, the Manager of A and B. Chairman Rigby stated that these different areas are very distinct. He asked if adding another place would solve the dilemma of getting A and B at the table. Other Board members were concerned about adding more places. Mr. Anderson noted that A and B is a mixed source area and perhaps that could be the solution – another category called Mixed Source. Mr. Simpson suggested someone from A and B and someone from Falls. Craig Evans stated that Don Schaefer has been consistently aligned with the SWC and not groundwater. That would actually increase surface water representation.

Mr. Bartsch asked for discussion about a new Mixed Source Category. Mrs. Lemmon stated that adding more categories increases the desires of other groups to have more representatives. Mr. Bartsch agreed. Mrs. Lemmon said her group had narrowed their representation for this committee and thought other groups should, too. **Mr. Beck moved that Tim Deeg be the primary representative with Don Parker as alternate; Dean Stevenson as primary representative with Lynn Carlquist as alternate; Dan Schaefer as primary representative with Dan Temple as alternate. Mr. Chamberlain seconded.**

Chairman Rigby called for discussion. Mr. Tominaga expressed concern about pending lawsuits involving A and B. The ground water users would break off and not participate if their interests are not represented equally. Mr. Beck reiterated that IGWA is represented. There was discussion about how to resolve the issue. Chairman Rigby stressed the sensitivity of this situation. Mr. Tominaga added that each area represents about 300,000 acres of ground water. Chairman Rigby asked what Mr. Tominaga would suggest to solve the issue. Mr. Tominaga agreed with Mr. Anderson's suggestion of making a new Mixed Source Category and cutting the business representatives by one.

Mr. Arkoosh stated that each group has whittled down and now the ground users are resisting this effort. Mr. Arkoosh supported Mr. Beck's proposal. Further discussion ensued on this conflict.

Mr. Bartsch asked if the Board wanted to reduce the Business category by one, adding a Mixed Use Category with Dan Schaefer as primary representative with a spring user as alternate. Mr. Armacost asked Mr. Beck if he agreed with a new category to include Dan Schaefer. Mr. Beck asked for a vote on his original motion.

Mr. Simpson asserted that the groundwater side of A and B had never been a part of the SWC matter. He discussed differences in the ground water user groups. Chairman Rigby asked his opinion of the Mixed Use Category. Mr. Simpson thought it could work; however, only one business interest didn't seem like enough. Perhaps a general representative like IACI would serve best. There was discussion about the best representative for business in the ESPA. Mr. Storer needed to leave the meeting.

Mr. Bartsch reminded the group that the Advisory Committee was not a voting group. It is a group to make recommendations to the Board. Mr. Tominaga said it is an issue of fairness with parties having their interests represented. A and B Irrigation represents about 65,000 acres. Mr. Beck asked if one of the ground water choices represented A and B. Mr. Beck asked Mr. Chamberlain to comment. Mr. Chamberlain said proceed with the vote.



Chairman Rigby called for a roll call vote on **Mr. Beck's motion for Tim Deeg as representative with Don Parker as alternate, Dean Stevenson as representative with Lynn Carlquist as alternate, Dan Schaefer as representative with Dan Temple as alternate. Seconded by Mr. Chamberlain.**

**Roll Call Vote: Cuddy, No, Armacost, No, Storer, Absent, Beck, Yes, Chamberlain, Yes, Graham, No. Uhling, Absent, Chairman Rigby, No. Motion Failed.**

**Mr. Cuddy moved that a new category be added called Mixed Source with one representative from A and B Irrigation Company, Dan Schaefer with a spring user for alternate, one business representative with one alternate. Mr. Armacost seconded.** Chairman Rigby asked for discussion. Mr. Chamberlain did not like having another category, but Mr. Anderson pointed out that it eliminated one business entry. Mr. Graham asked what the SWC thought. Mr. Simpson thought this would resolve the issue of A and B with another spring user. Chairman Rigby clarified the motions on the table and called for a roll call vote.

**Roll Call Vote: Cuddy, Yes, Armacost, Yes, Storer, Absent, Beck, Yes, Chamberlain, Yes, Graham, Yes. Uhling, Absent, Chairman Rigby, Yes. Motion passed.**

Mr. Bartsch asked for discussion on Dane Watkins as an alternate for Tim Deeg. Don Parker would be representative, Scott Clausen as alternate; Tim Deeg as representative, Craig Evans, as Alternate; Dean Stevenson as representative, with Lynn Carlquist as alternate.

**Mr. Armacost moved that the groundwater nominees be accepted as listed. There was no second. Motion died.** Mr. Graham asked Mr. Beck if the difference was Tim Deeg. Mr. Beck said he was opposed to this set of nominees and would refrain from commenting. Mr. Tominaga said all six of these individuals had been very involved with the discussions and are on top of all the issues. Dane Watkins asked to be nominated for water district 120. Craig Evans commented that these nominees represented the most constituents. Mr. Bartsch read the nominees again: Parker as primary representative, Clawson as alternate; Deeg, as primary representative, Evans as alternate; Stevenson as primary representative, Carlquist, as alternate.

Mr. Beck said he would support a motion and even make it to have Grant Wyatt as an alternate to Carlquist. **Mr. Beck moved Mr. Parker as representative with Clawson as alternate; Deeg as representative with Evans as alternate; Stevenson as representative with Wyatt as alternate. Mr. Graham seconded.** Chairman Rigby asked for further discussion. The Chairman called for a roll call vote.

**Roll Call Vote: Cuddy, Yes, Armacost, Yes, Storer, Absent, Beck, Yes, Chamberlain, Yes, Graham, Yes. Uhling, Absent, Chairman Rigby, Yes. Motion passes\.**

**Spring Water Users** – Mr. Bartsch stated that the nominees were Randy McMillan, Clear Springs Foods, Inc., as representative with Linda Lemmon, Thousand Springs, as alternate.

**Mr. Chamberlain moved that the Spring Water User nominees Randy McMillan and Linda Lemmon be accepted. Mr. Armacost seconded.** Chairman Rigby asked for further discussion. **Chairman Rigby called for a voice vote: All were in favor.**

**Hydropower** – Mr. Bartsch read the nominees James Tucker, Idaho Power as representative with Dee Reynolds, Fall River Electric as alternate. Chairman Rigby noted that these are two of the bigger users. **Mr. Armacost moved that Mr. Tucker be primary representative with Reynolds as alternate. Mr. Cuddy seconded.**

Mr. Chamberlain expressed concern about Mr. Tucker since he was an attorney. Chairman Rigby asked Mr. Simpson to validate that Mr. Tucker was mostly in administration for Idaho Power. Mr. Simpson stated that Mr. Tucker was involved with FERC projects. The Governor might not want him on there. Idaho Power did offer an alternate, Jon Bowling. Mr. Bartsch stated it was not clear which position they would occupy. Mr. Simpson suggested another hydrologist type person. Mr. Armacost thought the Governor and Idaho Power could work out a representative. Mr. Bartsch noted that Mr. Tucker was the only nominee with the Chairman suggesting Dee Reynolds. This list will be given to the Governor and perhaps this could be a tentative suggestion.

**Chairman Rigby called for a voice vote. All were in favor.**

**Domestic Well Owners** – Marla Tribble nominated herself as representative. Mr. Bartsch stated she supplied some background information and he needed to follow-up with her. Mr. Beck asked if well drillers could be nominated. Mr. Anderson said they are business users. This category is specifically for domestic well owners. Mr. Armacost asked if there were organized groups and Mr. Anderson said no. Mr. Bartsch said he was going to talk to Ms. Tribble about her availability. Mr. Graham suggested the Board move on with follow-up. Mr. Armacost suggested a broader search. Mrs. Lemmon suggested the Mid-Snake Commission would be a good source for nominees. Mr. Tominaga suggested DEQ as a source for a domestic well user.

**Environmental and Conservation Interests** – Mr. Bartsch presented the proposed new category that the Board needed to vote on. The nominees are Kim Goodman, Trout Unlimited, as representative and to be decided an alternate perhaps the Nature Conservancy. Harriet Hensley stated that she had contacted Will Whelan of the Nature Conservancy to let him know that CDR may be contacting him.

Mr. Bartsch said that after the first list was sent out he received a number of e-mails noting the lack of representation of environmental groups. Ms. Hensley stated these groups need a place at the table because they are heavily involved and may be able to help problem solve with the group. They work with land and water users every day. Mr. Bartsch said it is wise to include all viewpoints.

Mr. Graham asked if other representatives were members of environmental groups and are already at the table. Mr. Bartsch did not have knowledge of that. Mr. Anderson stated that environmental groups want a seat at the table and they would not be satisfied with anything less. Ms. Hensley noted that the Nature Conservancy and Trout Unlimited had both worked with the Board on several projects and they should have a seat at the table. Chairman Rigby stated he opposed Idaho Rivers United. **Mr. Armacost moved that the category of Environment and Conservation**



**Interests be included and that Kim Goodman of Trout Unlimited be nominated as representative with an alternate to be identified by Mr. Bartsch as soon as possible. Mr. Chamberlain seconded.**

Chairman Rigby called for discussion. Mr. Graham asked the motion to be split into two motions one to include the category and one for nominees so Board members could vote separately. Ms. Hensley noted that Mr. Whelan had recommended Kim Goodman. Mr. Cuddy agreed with Mr. Graham. Mr. Armacost voiced support for Kim Goodman who has made presentations to the Board in the past. He stressed the importance of the individual not the group. Mr. Simpson expressed support for Ms. Goodman and for the Nature Conservancy. He discussed much of the work of the Nature Conservancy in the Box Canyon area. They are going to be a big voice in the area below Milner Dam. Mr. Simpson suggested Ms. Goodman as representative with the Nature Conservancy as alternate. **Mr. Armacost moved that this be added to his motion; however, Mr. Chamberlain was not comfortable with the Nature Conservancy and would not second.** Chairman Rigby asked for further discussion on the original motion. **He called for a voice vote. There were three nos and three yeses. The motion failed.**

**Mr. Armacost moved that the Board add the category of Environmental and Conservation Interests. Mr. Graham seconded. Chairman Rigby called for a voice vote. All were in favor.**

Mr. Bartsch moved on to the **Mixed Source Category**. Mr. Bartsch noted the nominees and Mr. Anderson stated that had already been decided. Mr. Anderson asked Tom Arkoosh or Linda Lemmon for a suggestion for the spring users. Mrs. Lemmon was going to let Mr. Bartsch know.

Mr. Cuddy asked about the Business Category. Chairman Rigby stated that the representative was to be from a larger group and this is to be decided.

Mr. Bartsch asked how to fill in the to be decided categories. Mr. Anderson stated that the Board needs a preliminary list by 5:00 p.m. and the Governor's Office would get back to the Board.

Mr. Graham thought they were close to a decision on the Environmental Category. Chairman Rigby said there were three nays and the motion failed. Mr. Graham said the discussion after that was for Nature Conservancy to be the representative and Goodman as the alternate. **Mr. Graham moved to accept Goodman as primary representative with Nature Conservancy as alternate. Mr. Chamberlain seconded. Chairman Rigby called for further discussion. There was none. He called for a voice vote. All were in favor.**

Mr. Bartsch stated he had follow-up action with domestic well owners, Mid-Snake Commission, DEQ, Nature Conservancy, and State Chamber of Commerce for the Business category. Mr. Anderson stated he would get a name for IACI.

There was discussion about a follow-up meeting March 23, 2007 after the Governor has made his nominees. Mr. Bartsch said he would send a new list out to everyone electronically immediately. Mr. Anderson stated that Mr. Rich Rigby and Mr. Mink needed to be contacted for Chairperson. Mr. Bartsch said he would do that. He expressed concern about communication policies set up in their

contract. Ms. Hensley stated she thought this would not be a violation of protocols. Chairman Rigby stated he would contact Dee Reynolds to see if he would serve and then Mr. Bartsch would talk to him. Mr. Anderson reminded them of Cliff Jensen. Ms. Lemmon stated she would get contact information to Mr. Bartsch. Chairman Rigby stated he would contact Ball Ventures LLC.

Mr. Bartsch suggested that they wait until the Governor's office made suggestions before they contacted all the nominees. Mr. Armacost thought it would be most appropriate to get Mr. Rigby's agreement to serve as Chairperson before they contacted Mr. Mink. Mr. Bartsch agreed. If Mr. Rigby were not available the course of action would have to be decided. Mr. Armacost asked if the Board was comfortable with Mr. Mink as Chairman. Mr. Armacost expressed confidence in Mr. Mink as a Chairman. The Board decided to ask Mr. Mink to be Chairman if Mr. Rigby was not available. Before that happens, Mr. Beck thought Mr. Mink should be nominated as representative with a new proposed alternate for the Board to vote on. Mr. Chamberlain agreed with Mr. Beck.

Mr. Bartsch asked when the Board wanted the next meeting. The Board agreed to set the meeting for March 23, 2007 at 11:15 a.m. Mr. Armacost said he was very impressed with the work that staff and Mr. Bartsch had done to get everything together in such short time.

Mr. Bartsch read the tentative list once more.

**Chairperson** - Rich Rigby, primary representative, and Roy Mink, alternate.

**Municipalities** - Mayor Lynn Clow, Twin Falls, as primary representative and Mayor Correll, Jerome, as alternate; Mayor Roger Chase, Pocatello, as primary representative and Mayor Fuhrman, Idaho Falls, as alternate.

**Business** - A general business association as primary representative to be decided and one alternate.

**Land Developers** - Cliff Jensen, Hagerman, as primary representative and someone from Ball Ventures, Idaho Falls, as alternate.

**Surface Water Users** - Jeff Raybould as primary representative and Lloyd Hicks as alternate; Randy Bingham as primary representative and Steve Howser as alternate; Vince Alberdi as primary representative and Albert Lockwood as alternate.

**Ground Water Users** - Don Parker as primary representative with Scott Clawson as alternate; Tim Deeg as primary representative and Craig Evans as alternate; Dean Stevenson as primary representative and Grant Wyatt as alternate.

**Spring Water Users** - Randy McMillan as primary representative and Linda Lemmon as alternate.

**Hydropower** - James Tucker as primary representative and Dee Reynolds as alternate.

**Domestic Well Owners** - one primary representative and one alternate to be decided.

**Environmental and Conservation Interests** - Kim Goodman as primary representative and someone from the Nature Conservancy to be decided as alternate.

**Mixed Source** - Dan Schaeffer as primary representative and a Spring Water user to be decided as alternate.

Mrs. Lemmon suggested Stan Standall would serve as the spring water user on the Mixed Source Category. **Mr. Beck moved that Stan Standall be accepted for the Mixed Source**



Committee as a spring water user alternate. Mr. Graham seconded. Chairman Rigby called for a voice vote. All were in favor.

The meeting was adjourned.

DATED the 18th day of May, 2007.

  
Secretary

  
Patsy McGourty, Administrative Assistant II

#### Board Actions.

1. Mr. Cuddy moved to nominate Richard Rigby as Chairperson and Leland Roy Mink as alternate. Mr. Chamberlain seconded. Chairman Rigby called for a voice vote. All were in favor.
2. Mr. Beck moved that Twin Falls Mayor Lance Clow be the primary representative with Mayor Correll of Jerome as alternate with Mayor Roger Chase, Pocatello, primary representative and Mayor Fuhrman, Idaho Falls as the alternate. Mr. Armacost seconded. Chairman Rigby called for a voice vote. All in favor.
3. Mr. Beck made a motion that Mr. Cliff Jensen be the primary representative and Alan Ball the alternate. Mr. Cuddy seconded. Chairman Rigby called for a voice vote. All were in favor.
4. Mr. Beck moved that Jeff Raybould be the primary representative with Lloyd Hicks as alternate, Randy Bingham as primary representative and Steve Howser as alternate, Vince Alberdi as primary representative and Albert Lockwood as alternate. Mr. Graham seconded. Chairman Rigby called for a voice vote. All were in favor.
5. Mr. Cuddy moved that a new category be added called Mixed Source with one representative from A and B Irrigation Company, Dan Schaefer with a spring user for alternate, one business representative with one alternate. Mr. Armacost seconded. Chairman Rigby called for a roll call vote.

Roll Call Vote: Cuddy, Yes, Armacost, Yes, Storer, Absent, Beck, Yes, Chamberlain, Yes, Graham, Yes. Uhling, Absent, Chairman Rigby, Yes. Motion passed.

6. Mr. Beck moved for the Groundwater User Category Mr. Parker as primary representative with Clawson as alternate; Deeg as primary representative with Evans as alternate; Stevenson as primary representative with Wyatt as alternate. Mr. Graham seconded. The Chairman called for a roll call vote.

Roll Call Vote: Cuddy, Yes, Armacost, Yes, Storer, Absent, Beck, Yes, Chamberlain, Yes, Graham, Yes. Uhling, Absent, Chairman Rigby, Yes. Motion passed.

7. Mr. Chamberlain moved that the Spring Water User nominees, Randy McMillan, as primary representative, and Linda Lemmon as alternate be accepted. Mr. Armacost seconded. Chairman Rigby called for a voice vote: All were in favor.

8. Mr. Armacost moved that James Tucker be primary representative with Dee Reynolds as alternate. Mr. Cuddy seconded. Chairman Rigby called for a voice vote. All were in favor.

9. Mr. Armacost moved that the Board add the category of Environmental and Conservation Interests. Mr. Graham seconded. Chairman Rigby called for a voice vote. All were in favor.

10. Mr. Graham moved to accept Goodman as primary representative with Nature Conservancy as alternate. Mr. Chamberlain seconded. Chairman Rigby called for further discussion. There was none. He called for a voice vote. All were in favor.

11. Mr. Beck moved that Stan Standall be accepted for the Mixed Source Committee as a spring water user alternate. Mr. Graham seconded. Chairman Rigby called for a voice vote. All were in favor.